

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**THE CITY OF HUNTINGTON,  
Plaintiff,**

**v.**

**CIVIL ACTION NO. 3:17-01362**

**AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,  
Defendants.**

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**CABELL COUNTY COMMISSION,  
Plaintiff,**

**v.**

**CIVIL ACTION NO. 3:17-01665**

**AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,  
Defendants.**

**PLAINTIFFS' REQUEST FOR NONJURY TRIAL**

COME NOW the Plaintiffs, CITY OF HUNTINGTON and CABELL COUNTY COMMISSION, and request a nonjury (bench) trial on all triable issues. Plaintiffs request an order be entered directing the defendants to notify the Court whether they intend to stipulate on the record, pursuant to F.R. Civ. Proc. 39(a)(1), to a nonjury trial before the next status conference.

Dated January 22, 2020

Respectfully submitted,

THE CITY OF HUNTINGTON

CABELL COUNTY COMMISSION

/s/ Anne McGinness Kearse

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/s/ Paul T. Farrell, Jr.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 22, 2020, a copy of the foregoing **PLAINTIFFS' REQUEST FOR NONJURY TRIAL** has been filed electronically using the Court's CM/ECF system and will be served *via* the Court's CM/ECF filing system, which will send notification of such filing to the attorneys of record at their e-mail addresses on file with the Court.

/s/ Anne McGinness Kearse

Anne McGinness Kearse (WVSB No. 12547)